

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

AXION POWER INTERNATIONAL, INC., et al.,

Plaintiffs,

- against -

MERCATUS & PARTNERS, LTD., et al.,

Defendants.

07 Civ. 11493 (RWS)

O R D E R

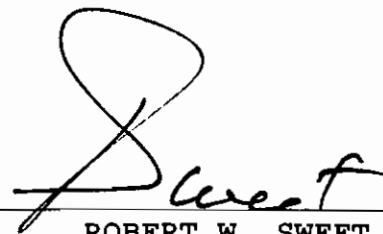
-----X

Sweet, D.J.,

Defendant Banca MB S.p.A.'s Motion to Dismiss, dated July 31, 2008, will be heard at noon on Wednesday, September 17, 2008, in courtroom 18C. All motion papers shall be served in accordance with Local Civil Rule 6.1.

It is so ordered.

New York, NY
August 6, 2008



ROBERT W. SWEET
U.S.D.J.

